

02495.000005.1

PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:)
CHAOYU YUE ET AL.) : Examiner: L.C. Pascal
Application No.: 10/808,443) : Group Art Unit: 2633
Filed: March 25, 2004) :
For: PER-CHANNEL OPTICAL)
AMPLIFICATION USING) :
SATURATION MODE) February 7, 2006

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

TERMINAL DISCLAIMER

Sir:

Your petitioner, Tellabs Operations Inc., a corporation duly organized under the laws of Delaware, having a principal office at 1415 West Diehl Road, Naperville, Illinois 60563, and duly represented by the undersigned, represents that it is the assignee of

I hereby certify that this correspondence is being deposited with the United States Postal Service as first-class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on February 7, 2006.

(Date of Deposit)

FRANK A. DeLUCIA (REG. NO. 42,476)

(Name of Attorney for Applicant)

February 7, 2006

Date of Signature

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the full title and interest in and to the above-identified Application No. 10/180,443, filed March 25, 2004, as evidenced by the deed of Assignment filed on December 15, 1999 in parent U.S. Application No. 09/461,052 (now U.S. Patent No. 6,735,394 B1), and recorded at reel 010453/Frame 0463.

Your petitioner further represents that it is the assignee of the full title and interest in and to U.S. Patent No. 6,735,394 B1, as evidenced by the same deed of Assignment referred to in the previous paragraph.

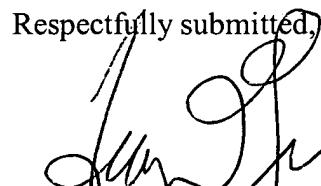
Your petitioner hereby disclaims the terminal part of any patent granted on the above-identified Application No. 10/808,443, as presently shortened by any terminal disclaimer, and hereby agrees that any patent so granted on the above-identified application shall be enforceable only for and during such period that the legal title to said patent shall be the same as the legal title to U.S. Patent No. 6,735,394 B1, this agreement to run with any patent granted on the above-identified application and to be binding upon the grantee, its successors or assigns.

Your petitioner does not disclaim any terminal part of any patent granted on the above-identified application prior to the expiration date of the full statutory term of U.S. Patent No. 6,735,394 B1, as presently shortened by any terminal disclaimer, in the event that subsequent hereto U.S. Patent No. 6,735,394 B1 expires for failure to pay a maintenance fee, is held unenforceable, is found invalid, is the subject of any disclaimer under 37 C.F.R. 1.321(a), has all claims cancelled by a reexamination certificate or is

otherwise terminated prior to the expiration of its statutory term as presently shortened by any terminal disclaimer, except for the separation of legal title stated above.

Petitioner's undersigned attorney may be reached in our New York office by telephone at (212) 218-2100. All correspondence should continue to be directed to our address given below.

Respectfully submitted,



Frank A. DeLucia
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